## IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF MISSISSIPPI EASTERN DIVISION

**PETITIONER** 

VS.

Criminal No. 2:07-cr-31-KS-MTP Civil Action No. 2:16-cv-89-KS

UNITED STATES OF AMERICA

## CERTIFICATE OF APPEALABILITY

A Notice of Appeal having been filed in the above captioned habeas corpus case, in which the detention complained of arises out of process issued by a Federal court pursuant to 28 U.S.C. § 2255, and the Court, considering the record in the case and the requirements of 28 U.S.C. § 2253 and Rule 22(b) of the Federal Rules of Appellate Procedure, hereby finds that:

A Certificate of Appealability should not issue.

Reasons:

This Court finds that the Petitioner has failed to make a substantial showing of a violation of a Constitutional or statutory right.

SO ORDERED AND ADJUDGED on this, the <u>24th</u> day of May, 2017.

s/Keith Starrett
UNITED STATES DISTRICT COURT JUDGE